

## INTRADEPARTMENTAL CORRESPONDENCE

August 25, 2020  
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**TO:** Chief of Police

**FROM:** Commanding Officer, Operations-West Bureau

**SUBJECT:** MINORITY OPINION-OFFICER INVOLVED SHOOTING FID NO. 054-19

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On August 24, 2020, a Use of Force Review Board (UOFRB) was convened to evaluate and render a recommended finding for the Force Investigation Division (FID) No. 054-19. The deliberation resulted in a minority opinion for the recommended tactics leading up to lethal use of lethal force findings for Police Officer II Shaun Holguin, Serial No. 35643. The Use of Force Review Board was comprised of the following members:

Chair: Assistant Chief Beatrice Girmala, Serial No. 24916  
Office of Operations: Commander Michael Rimkunas, Serial No. 32211  
Police Science and Training Bureau: Deputy Chief Martin Baeza, Serial No. 26624  
Bureau: Commander Cory Palka, Serial No. 25060  
Peer Member: Police Officer III Mark Flores, Serial No. 40629

This minority opinion respectfully offers rationale for a dissenting opinion with regards to the tactical preparation, communication, and planning by Officer Holguin.

### ANALYSIS

The primary dissention with the UOFRB arose from a difference of opinion as to the veracity and impact Officer Holguin's failure of tactical communication played in separation from his partner, Police Officer II Youssef Brady, Serial No. 42330 – where the majority opined that an Administrative Disapproval for tactics leading up to the categorical use of force was appropriate.

Officer Holguin and Officer Brady were working Hollywood uniform patrol when they responded to a backup request for an uncooperative man with a machete. As described in the UOFRB, Officer Holguin admitted to having very little conversation with his partner officer (Brady) at start of watch regarding contact/cover, tactics, etc. Lack of tactical communication with his partner ultimately played a role in separation during a chaotic incident. Both Holguin and Brady approached the suspect in a drive through area of a restaurant and both observed the suspect carjack a black Lexus (formally occupied by victim) and drive north in the direction of Sunset Blvd. Both officers separated, with Officer Brady continuing north to where the suspect was involved in a traffic collision and fled east on Sunset Blvd. Officer Holguin ran to their shop, parked south from the initial contact with the suspect.

Tactically, it is a problem for officers to separate in a foot pursuit. Per Use of Force – Tactics Directive No. 3.2, October, 2013,

"Separation occurs whenever the distance between the two officers is so great that one cannot render aid to the other when confronted by the suspect or barriers exist that would unreasonably delay the partner officer from being able to render aid."

Here, Officer Brady became involved in a foot pursuit and Officer Holguin was not in proximity to reasonably render aid.

Officer Holguin provided rationale during his recorded interview with FID for why he ran to his shop – Holguin observed the suspect carjack a black Lexus and flee out of the drive through area,

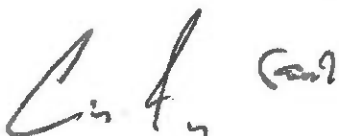
"I hear a TC but I didn't know that the TC resulted in that suspect's vehicle stop -- coming to a stop. I just thought he hit something on the way while he was fleeing. So, I was heading towards my car to secure the beanbag and to get in the car to follow the suspect what I thought [BRADY] was going to be in the vehicle" (pg. 7, lines 18-23).

Based on the above review, the minority opinion respectfully submits the following factors:

1. Both Holguin and Brady agree that once they arrived at scene, they were no longer together during this incident. While this is of concern, it is understandable that with large groups of officers responding to an incident, it is not always realistic to be side-by-side with an assigned partner for the day.
2. Holguin stated he intended to get their vehicle and rejoin his partner as they renewed their chase in the black and white. As Holguin reached his vehicle, he realized Brady was on Sunset Boulevard and he intended to meet up with him. Officer Holguin had his bean bag shotgun on him and ran to secure the less-lethal firearm prior to giving chase in his police vehicle.

While the separation was concerning, I do not believe it rose to the level of an administrative disapproval and could have been resolved through a tactical debrief -- given the facts of the incident.

If you have any questions, please contact Detective Douglas Oldfield, Serial No. 37599, Operations-West Bureau, at (213) 473-0277.



CORY PALKA, Commander  
Assistant Commanding Officer  
Operations-West Bureau